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Group says man wrote 'deceptive' letter to EPA

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Posted: Sunday, December 11, 2016 12:00 am

By Christopher James christopher.james@baytownsun.com | 0 comments

Members of the San Jacinto River Coalition were dismayed to find that Thomas Knickerbocker, who represents the San Jacinto Citizens Against Pollution, falsely represented the coalition regarding the San Jacinto River Waste Pits. On Friday, the coalition filed a formal complaint to the Environmental Protection Agency for the misrepresentation.

"Mr. Knickerbocker actually represents a group that is taking public positions that are very inconsistent with those of the San Jacinto River Coalition," said San Jacinto River Coalition Director Jacquelyn Young. "Mr. Knickerbocker's deceptive letter appears to be submitted for the purpose of creating confusion, to our detriment."

In September, the EPA proposed its preferred remedy to remove 202,000 cubic yards of contaminated material from the waste pits at a cost of nearly \$97 million. Following the announcement, the EPA opened up a 60-day comment period that gives the public an opportunity to submit remarks about its proposal. When the comment period concludes, the EPA will then consider and address all comments received.

But on Oct. 13, Knickerbocker sent a letter to the EPA requesting a 60-day extension to the comment period on behalf of the San Jacinto River Coalition/KeepitCapped.org (two organizations with two completely different ideals).

Knickerbocker has since said it was an honest mistake.

"We just had a typo in there calling it river coalition instead when it was (supposed to be) San Jacinto Citizens Against Pollution," said Knickerbocker, who has since sent the EPA a correction. "It's just a typo error that we've corrected."

However, Young and the San Jacinto River Coalition are not buying it.

"This letter is not a harmless error," Young said. "This appears to be intentional. Mr. Knickerbocker uses the full name of our organization and states his representation in the first line of the letter, and later signs letter as 'Attorney for San Jacinto River Coalition.' The letter states that it is a 'revised request' indicating that this isn't a quick first draft."

Nevertheless, the EPA granted a 45-day extension at the request of the San Jacinto Citizens Against Pollution that Highlands citizens and the coalition describe as a grave disregard for public health and the environment.

In the coalition's letter to the EPA, Young is requesting that the EPA explicitly and publicly state what action it is taking with respect to Knickerbocker's letter due to its fraudulent content.

The EPA could not say on Friday what actions, if any, would be taken.

In addition to the San Jacinto River Coalitions formal complaint, Attorney Rodrigo Cantu will also be submitting the

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EPA formal complaints on behalf of his clients.

The 14-acre waste pits, which are located just north of the Interstate 10 bridge between Channelview and Highlands, were created in the mid-1960s to dispose of paper mill waste from Champion Paper Mill in Pasadena.

The waste contains mercury, PCBs, furans and cancer-causing dioxin. Once the pits were filled to capacity they were abandoned; and like the rest of the surrounding area the pits subsided and the waste was exposed to the waters and sediments of the San Jacinto River for decades.

In 2008, the pits were discovered and placed on the National Priorities List. In 2011, the responsible parties — International Paper and McGinnes Industrial Maintenance Corporation — completed construction of an armored cap to temporarily address the release of dioxin into the San Jacinto River.

As part of the Superfund process, the EPA will be accepting comments until Jan. 12.

Comments can be submitted online, email or U.S. Mail.

- Online: www.epa.gov/tx/forms/sjrw-p-comments
- Email: R6_San_Jacinto_Waste_Pits_Comments@epa.gov
- U.S. Mail: Remedial Project Manager, U.S. EPA Region 6 (6SF-RA), 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202-2733.

For more information visit <https://www.epa.gov/tx/sjrw-p>.

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